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JAN 18 2005****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: PAULSHUS, Bjorn et al. GAU: 3635
Serial No. 09/871,608 Examiner: NGUYEN, Chi Q
Filed: 05/31/2001 Atty Dkt. No. 7822-82871
For: TENSION MEMBER

To: Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Fr:

24222

CERTIFICATE OF FACSIMILE 37 CFR 1.8: I certify that this correspondence is being faxed to: Examiner Chi Q. Nguyen at FAX #: 703-872-9306, TEL #: 703-605-1224 on the below date.

Date: 01/18/2005 [☒ Debra A. Stengel or [☐ Andrew P. Cornota, Reg. No. 52,711] *Debra A. Stengel*

Commissioner:

RESUBMISSION OF RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
Filed May 7, 2004

Pursuant to a telephone conversation on January 18, 2005 between Examiner Chi Q. Nguyen, USPTO, and Debra Stengel, of Maine & Asmus, Applicant respectfully resubmits Response to Notice of Non-Compliant Amendment, originally timely filed on May 7, 2004 via Express Mail No. EL 995605548 US, by previous attorney of record Thomas W. Tolpin of Welsh & Katz Ltd. According to Examiner Nguyen he has not received the Response to Notice of Non-Compliant Amendment, even though it appears in the application's Image File Wrapper, showing received by the Office on May 7, 2004 and received in GAU 3600 on May 12, 2004. Therefore, he suggested this resubmission.

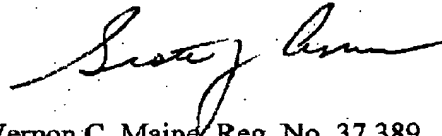
Applicant respectfully herein submits:

- 1) 4 pages Response to Notice of Non-Compliant Amendment, submitted May 7, 2004;
- and
- 2) 1 page copy of original Express Mail label, original mail back card and mail back card stamped received by USPTO OIPE on May 7, 2004.

Please note that on August 30, 2004 a Request for Change of Correspondence Address was filed by Maine & Asmus transferring this application to Customer No. 24222.

[X] DEPOSIT ACCOUNT 500323 AUTHORIZATION - All necessary fees relating to the attached submittal, if any, are intended to be included. However, the Office is hereby authorized to charge any deficiency or credit any overpayment in the fees relating to the submittal to deposit account 500323, registered to Vernon C. Maine P.L.L.C., dba Maine & Asmus, contact telephone no. 603-886-6100.

Respectfully submitted,



Vernon C. Maine, Reg. No. 37,389
Scott J. Asmus, Reg. No. 42,269
Neil F. Maloney, Reg. No. 42,833
Andrew P. Cernota, Reg. No. 52,711
Attorneys/Agents for Applicant

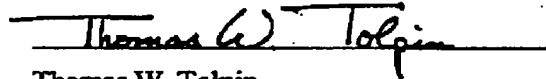
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Authorization is hereby given to charge any deficiency in fees in connection with the subject patent application to our Deposit Account No. 23-0920.

The Legal Instruments Examiner and Patent Examiner are invited and encouraged to contact the undersigned attorney to expedite this application to allowance, if the preceding does not already place the above-identified application in condition for allowance.

Respectfully submitted,



Thomas W. Tolpin
Registration Number 27,600
Attorney for Applicants

Address:
Welsh & Katz, Ltd.
22nd Floor
120 South Riverside Plaza
Chicago, IL 60606

Phone: (312) 655-1500

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John Rembert

Signature of Person Mailing Paper or Fee

U.S. Patent Application of PAULSHUS et al.
 Title: TENSION MEMBER
 Serial No.: 09/871,608
 Filed: May 31, 2001
 Express No.: EL995605548US

TWT/mb

Attorney Docket No. 7822-82871
 Group Art Unit: 3637
 Legal Instruments Examiner: Tonya McBride

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U.S. Patent Application of PAULSHUS et al. Title: TENSION MEMBER Serial No.: 09/871,608 Filed: May 31, 2001 Express No.: EL995605548US			
Attorney Docket No. 7822-82871 Group Art Unit: 3637 Legal Instruments Examiner: Tonya McBride			
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